

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

KATHRYN MILLER,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 05-CV-145 GMS
)	
GEOX USA, INC., and GEOX SPA,)	
)	
Defendants.)	

STIPULATION AND ORDER REGARDING AMENDMENT OF CAPTION

WHEREAS, on March 10, 2005, Plaintiff Kathryn Miller filed a Complaint in this Court against Defendants Geox SPA, an Italian corporation, and Geox USA, a Delaware corporation, and

WHEREAS, on May 10, 2005, Defendants filed a motion to dismiss the complaint and an opening brief in support of the motion to dismiss, and

WHEREAS, Plaintiff did not file an answering brief opposing the motion to dismiss, and

WHEREAS, on June 15, 2005, Plaintiff filed an Amended Complaint that deleted former Counts I through III and asserted two new claims, and

WHEREAS, on June 27, 2005, Defendants filed a motion for entry of judgment on their unopposed motion to dismiss, including dismissal of all claims against Defendant Geox SPA, and

WHEREAS, on July 8, 2005, Plaintiff advised the Court and Defendants by letter that she did not oppose their motion for entry of judgment, and

WHEREAS, on July 13, 2005, the Court granted Defendants' motion for entry of judgment on their unopposed motion to dismiss, and thereby dismissed all claims against Geox SPA,

NOW THEREFORE, IT IS HEREBY AGREED by and between the parties through their respective counsel, subject to the approval of the Court, that the caption in the above-referenced case shall be amended to delete the name of Geox SPA.

BIGGS & BATTAGLIA

YOUNG CONAWAY STARGATT & TAYLOR,
LLP



Robert D. Goldberg (No. 631)
921 North Orange Street
P.O. Box 1489
Wilmington, DE 19899
Telephone: (302) 655-9677
Facsimile: (302) 655-7924
Attorneys for Plaintiff

Dated:



Barry M. Willoughby (No. 1016)
Teresa A. Cheek, Esquire (No. 2657)
The Brandywine Building, 17th Floor
1000 West Street, P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-6666
Facsimile: (302) 576-3345
Attorneys for Defendants

Dated:

IT IS SO ORDERED, this _____ day of _____, 2005.

The Honorable Gregory M. Sleet
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2005, I electronically filed a true and correct copy of the foregoing Stipulation and Order Regarding Amendment Of Caption with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record. A courtesy copy of such Stipulation and Order Regarding Amendment Of Caption was also hand delivered to the following counsel of record on this date.

Robert D. Goldberg, Esquire
Biggs & Battaglia
921 North Orange Street
P.O. Box 1489
Wilmington, DE 19899

YOUNG CONAWAY STARGATT & TAYLOR, LLP



Barry M. Willoughby, Esquire (No. 1016)
The Brandywine Building
1000 West Street, 17th Floor
P.O. Box 391
Wilmington, DE 19899-0391
Telephone: (302) 571-6666
Facsimile: (302) 576-3345
Email: bwilloughby@ycst.com
Attorneys for Geox USA, Inc.

Dated: July 26, 2005